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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,199	01/27/2004	Morris Medd	T00685-0006-US	3341
27871	7590 06/21/2006		EXAMINER	
BLAKE, CASSELS & GRAYDON LLP BOX 25, COMMERCE COURT WEST 199 BAY STREET, SUITE 2800 TORONTO, ON M5L 1A9			THOMPSON, KENNETH L	
			ART UNIT	PAPER NUMBER
			3672	
CANADA			DATE MAILED: 06/21/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Disposition of Claims ## All Claims 10/1766,199 MEDD ET AL.		Application No.	Applicant(s)			
Renneth Thompson 3672		10/766,199	MEDD ET AL.			
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions for them may be evaluate under the provisions of 37 CFR 1.138(i) in no event, however, may a reply the timely field after 50 Kp) MONTHS from the mailing date of this communication, after 50 Kp) MONTHS from the mailing date of this communication after the mailing date of this communication, a reply received by the Office later than the months after the mailing date of this communication, even if timely filled, may reduce any canada period with apply and with acone SIX (8) MONTHS from the mailing date of this communication, even if timely filled, may reduce any canada period with a polymonic process of the communication, even if timely filled, may reduce any canada period with a polymonic process. A polymonic filled the mailing date of this communication, even if timely filled, may reduce any canada period with the process of the mailing date of this communication, even if timely filled, may reduce any canada period with a polymonic process. A polymonic process of the mailing date of this communication, even if timely filled, may reduce any canada period to a polymonic process. A polymonic through the mailing date of this communication, even if timely filled, may reduce any canada period to a polymonic process. A polymonic through the mailing date of this communication, even if timely filled, may reduce any canada period and process of the mailing date of this communication. Disposition of Claims 4) Claim(s) 1-22 is/are pending in the application. 4a) Of the above claim(s) 9-17 and 22 is/are withdrawn from consideration. 5) Claim(s) 1-22 is/are allowed. 6) Claim(s) 1-22 is/are allowed. 7) Claim(s) 1-22 is/are allowed. 8) Cla	Office Action Summary	Examiner	Art Unit			
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1)⊠ Responsive to communication(s) filed on 10 April 2006. 2a)□ This action is FINAL. 2b)☑ This action is non-final. 3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)☑ Claim(s) 1-22 is/are pending in the application. 4a) Of the above claim(s) 9-17 and 22 is/are withdrawn from consideration. 5)☑ Claim(s) 18-21 is/are allowed. 6)② Claim(s) 1-21 is/are allowed. 6)② Claim(s) 3-8 is/are objected to. 8)□ Claim(s) 3-8 is/are objected to. 8)□ Claim(s) 3-8 is/are objected to. 9)□ The specification is objected to by the Examiner. 10)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)□ All b)□ Some * c)□ None of: 1.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING D/ Extensions of time may be available under the provisions of 37 CFR 1.1: after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period v Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONEI	l. ely filed the mailing date of this communication. O (35 U.S.C. § 133).			
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3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Notice of Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Other:	1) Notice of References Cited (PTO-892)	Paper No(s)/Mail Da 5) Notice of Informal P	ate			

DETAILED ACTION

The indicated allowability of claim 2, is withdrawn in view of the newly discovered reference(s) to Dively et al., U.S. 4,042,047. Rejections based on the newly cited reference(s) follow.

Election/Restrictions

Applicant's election with traverse of Invention I in the reply filed on 10 April 2006 is acknowledged.

Claims 9-17 and 22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Inventions II and III, there being **no** allowable generic or linking claim.

The traversal is on the grounds that a serious burden on the Examiner does not exist since no restriction requirement was raised in the office action mailed 17 August 2005.

This is partly persuasive because the previous search of the prior art for each broadly claimed subcombination was not particularly burdensome, in view of the novelty of the invention as a whole (claims 18-21), although a restriction requirement would have been equally proper.

The traversal is on the grounds that the reamer assembly as claimed would only be reasonably practiced with a raise bore drilling and lining apparatus.

This is not found persuasive since the body of the claim does not contain limitations giving functionally to the apparatus of the preamble. Please note the prior art

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of Cherrington, U.S. 5,456,552 to a reamer assembly inherently capable of performing substantially as claimed.

The traversal is on the grounds that claims 6-8 of the combination requires the particulars of the subcombination drill rod and should be included in the search as well.

It is noted that arguments directed to the subcombination drill rod as only having reasonable application to the combination, as argued above, are mysteriously absent.

This is not found persuasive since claims 6-8 depend from and require all the limitations of the combination, whereas claims to the subcombination do not.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Dively et al., U.S. 4,042,047.

Dively et al. discloses in figure 1 a reamer head (10) on a drill string (12) and in figure 2 a spreader assembly (20) connected to an axial supply duct (18), the spreader being inherently capable of distributing liner material (as S) to the borehole wall.

Allowable Subject Matter

Claims 18-21 are allowed.

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Claims 3-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claim 1 has been considered but is moot in view of the new ground of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Thompson whose telephone number is 571 272-7037. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN

USA OR CANADA) or 571-272-1000.

15 June 2006

Kenneth Thompson Primary Examiner Art Unit 3672